

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

FILED BY *[Signature]* D.C.  
05 AUG 18 PM 4: 04

LOVERTA MACK, individually, and in  
her representative capacity as next friend  
of WILLIE MACK, deceased,

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

Plaintiff,

No. 05-2225 Ma/V

vs.

UNITED STATES OF AMERICA,

Defendants.

---

**RULE 16(b) SCHEDULING ORDER**

---

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

**INITIAL DISCLOSURES (RULE 26(a)(1)):** September 8, 2005

**JOINING PARTIES:**

for Plaintiff: October 14, 2005  
for Defendant: November 11, 2005

**AMENDING PLEADINGS:**

for Plaintiff: October 14, 2005  
for Defendant: November 11, 2005

**COMPLETING ALL DISCOVERY:** May 15, 2006

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES, and  
REQUESTS FOR ADMISSION:**

May 15, 2006

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 8-23-05

(4)

(b) **EXPERT DISCLOSURES (Rule 26(a)(2)):**

- |     |                      |                |
|-----|----------------------|----------------|
| (1) | Plaintiff's Experts: | March 15, 2006 |
| (2) | Defendant's Experts: | April 17, 2006 |

(c) **DEPOSITIONS OF EXPERTS:**

Same as discovery deadline unless a later date is authorized by the Court due to special circumstances.

**FILING DISPOSITIVE MOTIONS:** June 15, 2006

**FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

- |     |                |                      |
|-----|----------------|----------------------|
| (a) | for Plaintiff: | 45 days before trial |
| (b) | for Defendant: | 30 days before trial |

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

**OTHER RELEVANT MATTERS:**

Interrogatories, Requests for Production, and Requests for Admission must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

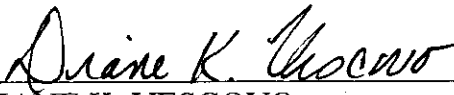
This case is set for non-jury trial, and the trial is expected to last 3 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to FRCP 12, 56, 59, and 60 shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

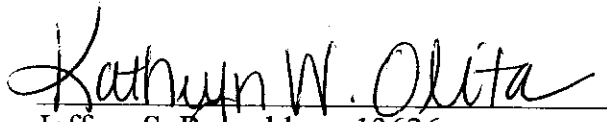
The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial. *After the close of discovery, the parties will advise the court if this case is appropriate for ADR & whether court-annexed mediation or private mediation should be conducted.*  
This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
DIANE K. VESCOVO  
UNITED STATES MAGISTRATE JUDGE

Date: August 18, 2005

APPROVED FOR ENTRY:

A handwritten signature in cursive script, reading "Kathryn W. Olita". The signature is written in black ink and is positioned above a horizontal line.

Jeffrey S. Rosenblum, 13626

Kathryn W. Olita, 23075

ROSENBLUM & REISMAN, PC

80 Monroe Avenue, Suite 950

Memphis, TN 38103

(901) 527-9600

A handwritten signature in cursive script, reading "Harriet M. Halmon". The signature is written in black ink and is positioned above a horizontal line.

Harriet M. Halmon, 005320

Assistant United States Attorney

800 Federal Office Building

167 North Main St.

Memphis, Tn 38103

(901) 544-4231



## Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02225 was distributed by fax, mail, or direct printing on August 23, 2005 to the parties listed.

---

Kathryn W. Olita  
ROSENBLUM & REISMAN  
80 Monroe Ave.  
Ste. 950  
Memphis, TN 38103

Harriett M. Halmon  
U.S. ATTORNEY'S OFFICE  
167 N. Main St.  
Ste. 800  
Memphis, TN 38103

Jeffrey S. Rosenblum  
ROSENBLUM & REISMAN  
80 Monroe Ave.  
Ste. 560  
Memphis, TN 38103

Honorable Samuel Mays  
US DISTRICT COURT